

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

TOUCHTUNES MUSIC CORP.,

SUMMONS IN A CIVIL ACTION

v.

ROWE INTERNATIONAL CORP., ARACHNID,
INC., AMI ENTERTAINMENT, INC., and
MERIT INDUSTRIES, INC. d/b/a
MERIT ENTERTAINMENT,

07 CV 11450
CASE NUMBER: 07 Civ.)

TO: (Name and address of Defendant)

JUDGE SWEET

Rowe International Corp.
1500 Union Avenue S.E.
Grand Rapids, Michigan 49507

* see attached rider for remaining defendants and addresses

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

James S. Blank (JB-4376)
Latham & Watkins LLP
885 Third Avenue
New York, New York 10022
(212) 906-1200
james.blank@lw.com

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL HORN

DEC 20 2007

CLERK

DATE

(By) DEPUTY CLERK

RIDER

Arachnid, Inc.
6212 Material Avenue
Loves Park, Illinois 61111

AMI Entertainment, Inc.
1500 Union Avenue, S.E.
Grand Rapids, Michigan 49507

Merit Industries, Inc. d/b/a
Merit Entertainment
2525 State Road
Bensalem, Pennsylvania 19020

Affidavit of Process Server

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

(NAME OF COURT)

TOUCHTUNES MUSIC CORP. VS MERIT INDUSTRIES, INC.d/b/a MERIT ENTERTAINMENT 07CV11450
 PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT CASE NUMBER

I, NICHOLAS P. CIPRIANO, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served MERIT INDUSTRIES, d/b/a MERIT ENTERTAINMENT

NAME OF PERSON / ENTITY BEING SERVED

with (list documents) SUMMONS IN A CIVIL ACTION, COMPLAINT

by leaving with JEFF KRISCIUNAS, CFO At

Residence _____
 Business 2525 STATE ROAD, BENSALEM, PA. 19020 _____
 ADDRESS _____ CITY / STATE _____
 ADDRESS _____ CITY / STATE _____

On DECEMBER 28, 2007 At 1:30 PM
 DATE TIME

Thereafter copies of the documents were mailed by prepaid, first class mail on _____
 from _____ DATE
 CITY STATE ZIP

Manner of Service:

Personal: By personally delivering copies to the person being served.
 Substituted at Residence: By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of _____ and explaining the general nature of the papers.
 Substituted at Business: By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.
 Posting: By posting copies in a conspicuous manner to the front door of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

Unknown at Address **Moved, Left no Forwarding** **Service Cancelled by Litigant** **Unable to Serve in Timely Fashion**
 Address Does Not Exist **Other** _____

Service Attempts: Service was attempted on: (1) _____ (2) _____
 DATE TIME DATE TIME

(3) _____ (4) _____ (5) _____
 DATE TIME DATE TIME DATE TIME

Description: Age 35-40 Sex M Race W Height 6' Weight 165 Hair BROWN Beard Glasses


 SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 31ST day of DECEMBER, 2007, by NICHOLAS P. CIPRIANO,
 Personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared
 before me.

Notarial Seal
 Donna M. Cipriano, Notary Public
 Northampton Twp., Bucks County
 My Commission Expires Feb. 17, 2009

Member, Pennsylvania Association of Notaries


 SIGNATURE OF NOTARY PUBLIC

NOTARY PUBLIC for the state of PENNA.

